

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ANGEL MORALES-VALLELLANES,

Plaintiff,

vs.

UNITED STATES POSTAL SERVICE,
et al.,

Defendants.

Civil No. 97-2459 (JAG) (GAG)

DEFENDANTS' MOTION TO COMPEL DISCOVERY AND FOR ENLARGEMENT

TO THE HONORABLE COURT:

COME NOW the Defendants, and through its undersigned attorneys, respectfully move the Court, pursuant to F.R.C.P. 37(a)(3), to compel the Plaintiff to properly answer Defendants' interrogatories and request for production of documents propounded approximately one year ago and dated April 29, 2004.

On April 14, 2005, Defendants received what Plaintiff characterizes as Plaintiff's "Answers to Interrogatory and Production of Documents." (**See Attachments 1 and 2.**) However, the same contains incomplete, unreliable, simplistic and blunt answers. The answers are, therefore, non-responsive, evasive, incomplete, and confusing. Plaintiff's "Answers" imposes upon the Defendants the unreasonable burden to decipher the same. As to the production of documents, it fares no better. It also contains simplistic and blunt answers. There is no reference whatsoever to the documents provided and the date that it was provided, leaving the Defendants at a loss.

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In view of the above, the Plaintiff has failed to properly disclose the required discovery after having had close to one year to submit the answers. Plaintiff's answers are a scoff to the discovery rules and places the Defendants in the burdensome and difficult position of relying on incomplete and confusing information for its defense.

In view of the aforementioned, the Defendants respectfully request an Order from the Court granting the Plaintiff a final term within which to properly and adequately disclose the required information by submitting proper answers that can be understood to be in compliance with the Federal Rules of Civil Procedure.

In addition, and in view of the above, the Defendants request that the discovery cut-off date be extended until September 15, 2005 and Defendants' dispositive motion deadline be enlarged until September 30, 2005.

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to Miguel E. Miranda Gutiérrez, Esquire, PMB 132, 500 Muñoz Rivera Avenue, Local 15, Hato Rey, Puerto Rico 00918-3349.

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RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, this day
of April 2005.

H.S. GARCIA
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